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*Liaison Counsel for Direct Action Plaintiffs and Counsel for Plaintiffs ABC Appliance, Inc., CompuCom Systems, Inc., Electrograph Systems, Inc., and Electrograph Technologies Corp., Interbond Corporation of America, MARTA Cooperative of America, Inc., Office Depot, Inc., P.C. Richard & Son Long Island Corporation, Schultze Agency Services LLC on behalf of Tweeter Opco, LLC and Tweeter Newco, LLC, Tech Data Corporation and Tech Data Product Management, Inc.*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

IN RE: CATHODE RAY TUBE (CRT)  
 ANTITRUST LITIGATION

Master File No. 07-5944 SC

MDL No. 1917

This Document Relates to:

ALL INDIRECT-PURCHASER ACTIONS

*Sharp Electronics Corp., et al. v. Hitachi Ltd., et al.*, No. 13-cv-01173

*Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et al.*, No. 11-cv-01656;

*Electrograph Sys. Inc., et al. v. Technicolor SA, et al.*, No. 13-cv-05724;

*Siegel v. Hitachi, Ltd., et al.*, No. 11-cv-05502;

*Siegel v. Technicolor SA, et al.*, No. 13-cv-05261;

*Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*, No. 11-cv-05513;

**EXHIBIT DECLARATION OF  
 PHILIP J. IOVIENO IN SUPPORT  
 OF PLAINTIFFS' OPPOSITION TO  
 PANASONIC'S MOTION FOR  
 SUMMARY JUDGMENT**

Judge: Hon. Samuel P. Conti

Court: Courtroom 1, 17<sup>th</sup> Floor

Date: February 6, 2015

Time: 10:00 A.M.

*Best Buy Co., Inc., et al. v. Technicolor SA, et al.*,  
No. 13-cv-05264;

*Target Corp. v. Chunghwa Picture Tubes, Ltd., et al.*, No. 11-cv-05514;

*Target Corp. v. Technicolor SA, et al.*, No. 13-cv-05686;

*Sears, Roebuck & Co., et al. v. Chunghwa Picture Tubes, Ltd., et al.*, No. 11-cv-05514;

*Sears, Roebuck & Co., et al. v. Technicolor SA, et al.*, No. 13-cv-05262;

*Interbond Corp. of Am. v. Hitachi, Ltd., et al.*,  
No. 11-cv-06275;

*Interbond Corp. of Am. v. Technicolor SA, et al.*,  
No. 13-cv-05727;

*Office Depot, Inc. v. Hitachi, Ltd., et al.*, No. 11-cv-06276;

*Office Depot, Inc. v. Technicolor SA, et al.*, No. 13-cv-05726;

*CompuCom Systems, Inc. v. Hitachi, Ltd., et al.*, No. 11-cv-06396;

*P.C. Richard & Son Long Island Corp., et al. v. Hitachi, Ltd., et al.*, No. 12-cv-02648;

*P.C. Richard & Son Long Island Corp., et al. v. Technicolor SA, et al.*, No. 13-cv-05725;

*Schultze Agency Servs., LLC v. Hitachi, Ltd., et al.*,  
No. 12-cv-02649;

*Schultze Agency Servs., LLC v. Technicolor SA, et al.*, No. 13-cv-05668;

*Tech Data Corp., et al. v. Hitachi, Ltd., et al.*, No. 13-cv-00157

1 I, **PHILIP J. IOVIENO**, hereby declare as follows:

2 I am a partner at the law firm of Boies, Schiller & Flexner LLP, liaison counsel for Direct  
3 Action Plaintiffs (“DAPs”), and I am licensed to practice law in the State of New York and  
4 admitted to practice *pro hac vice* before this Court. Except for those matters stated on information  
5 and belief, which I believe to be true, I have personal knowledge of the facts recited in this  
6 declaration and, if called upon to do so, I would competently testify under oath thereto.

8 1. Attached hereto as Exhibit 1 is a true and correct copy of Department of Justice  
9 Press Release, Friday March 18, 2011 “Samsung SDI Agrees to Plead Guilty in Color Display  
10 Tube Price-Fixing Conspiracy”. A copy of that press release is available at:  
[http://www.justice.gov/atr/public/press\\_releases/2011/268592.htm](http://www.justice.gov/atr/public/press_releases/2011/268592.htm)

11 2. Attached hereto as Exhibit 2 is a true and correct copy of the expert report of Janet  
12 Netz dated August 5, 2014.

13 3. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the  
14 deposition of Chih Chun-Liu, dated February 19-21, 2013.

15 4. Attached hereto as Exhibit 4 is a true and correct copy of Deposition Exhibit  
16 1234/1234E, dated April 23, 1997, which Chunghwa produced as CHU00028503.

17 5. Attached hereto as Exhibit 5 is a true and correct copy of Deposition Exhibit  
18 1120/1120E, dated April 23, 1997, which Chunghwa produced as CHU00028740.

19 6. Attached hereto as Exhibit 6 is a true and correct copy of Deposition Exhibit  
20 1857/1857E, dated March 12, 1997, which Chunghwa produced as CHU00028755.

21 7. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the  
22 Deposition of Michael Hsu, dated May 8-9, 2014.

23 8. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the  
24 Deposition of Allen Chang, dated March 12-13, 2014.

25 9. Attached hereto as Exhibit 9 is a true and correct copy of Deposition Exhibit  
26 1885/1885E, dated July 18, 1998, which was produced as SDCRT-0086416.

27 10. Attached hereto as Exhibit 10 is a true and correct copy of excerpts from the  
28 Deposition of Sheng-Jen Yang, dated February 22-26, 2013.

11. Attached hereto as Exhibit 11 is a true and correct copy of Deposition Exhibit  
1263/1263E, dated June 21, 2000, which Chunghwa produced as CHU00028424.

12. Attached hereto as Exhibit 12 is a true and correct copy of Deposition Exhibit 2924/2924E, dated October 30, 1996. which Chunghwa produced as CHU00028514.

13. Attached hereto as Exhibit 13 is a true and correct copy of Deposition Exhibit 1284/1284E, dated June 20, 2000, which Chunghwa produced as CHU00031010.

14. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from the August 5, 2014 expert report of Dr. Darrel Williams.

15. Attached hereto as Exhibit 15 is a true and correct copy of Deposition Exhibit 1133/1133E, dated August 26, 1998, which Chunghwa produced as CHU00028463.

16. Attached hereto as Exhibit 16 is an excerpt from a true and correct copy of Deposition Exhibit 630E, a copy of the March 10, 2011 KFTC Decision.

17. Attached hereto as Exhibit 17 is a true and correct copy of Deposition Exhibit 1256/1256E, dated September 14, 1999. which Chunghwa produced as CHU00028441.

18. Attached hereto as Exhibit 18 is a true and correct copy of Deposition Exhibit 2925/2925E, dated April 17, 1997, which Chunghwa produced as CHU00028505.

19. Attached hereto as Exhibit 19 is a true and correct copy of a document produced by Chunghwa as CHU00028752, dated April 19, 1997.

20. Attached hereto as Exhibit 20 is a true and correct copy of the rebuttal report of Dr. Kenneth G. Elzinga, dated September 26, 2014.

21. Attached hereto as Exhibit 21 is a true and correct copy of the "Business Integration Agreement: Matsushita Electric Industrial Co., Ltd. and Toshiba Corp.," MTPDA\_SEC-0225499.

22. Attached hereto as Exhibit 22 is a true and correct copy of the Supplemental Responses from Panasonic Defendants to IPP's First Set of Interrogatories, dated October 10, 2014.

23. Attached hereto as Exhibit 23 is a true and correct copy of excerpts from the Deposition of Kazuhiro Nishimaru, dated June 26-28, 2013.

24. Attached hereto as Exhibit 24 is a true and correct copy of the rebuttal report of Janet S. Netz, dated September 26, 2014.

25. Attached hereto as Exhibit 25 is a true and correct copy of an excerpt from the expert report of Edward A. Snyder, dated August 5, 2014.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on this 23rd day of December, 2014 at Albany, New York.

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5 /s/ Philip J. Iovieno  
6 Philip J. Iovieno  
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